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PATENT

ATTORNEY DOCKET NO.: QBIO1140-2

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Gautsch et al.  
Application No.: 09/863,137  
Filed: May 22, 2001  
Title: METHOD FOR ISOLATING DNA

Art Unit: 1651  
Examiner: Prats, Francisco Chandler

**REVOCATION OF POWERS OF ATTORNEY; POWER OF ATTORNEY  
BY ASSIGNEE; AND CHANGE OF MAILING ADDRESS**

Sir:

**Qbiogene, Inc.**, the assignee of the entire right, title and interest in the above-identified application, as evidenced by the assignment enclosed herewith, hereby revokes all previous Powers of Attorney and appoints the following attorneys to prosecute the above-identified patent application and to transact all business in the Patent and Trademark Office connected therewith:

JOHN L. ADAIR	REG. NO. 48,828
ARI G. AKMAL	REG. NO. 51,338
DAVID L. ALBERTI	REG. NO. 43,465
MARK L. BERRIER	REG. NO. 35,066
JOHN J. BRUCKNER	REG. NO. 35,816
JAMES P. CLEARY	REG. NO. 45,843
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ALAN A. LIMBACH	REG. NO. 39,749
GEORGE C. LIMBACH	REG. NO. 19,305
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NAN WU	REG. NO. 43,360
RONALD L. YIN	REG. NO. 27,607
BARRY N. YOUNG	REG. NO. 27,744



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Page 2

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We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

Direct all telephone calls to:

**LISA A. HAILE, J.D., Ph.D.**  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

Address all correspondence to:

**LISA A. HAILE, J.D., Ph.D.**  
**GRAY CARY WARE & FREIDENRICH LLP**  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133

Qbiogene, Inc.

By: T. Michael McLean

Name: T. Michael McLean

Title: President

Date: 11/20/02



DATE: 05/12/95



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THOMAS FITTING  
12526 HIGH BLUFF DRIVE  
SUITE 300  
SAN DIEGO, CA 92130

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ASSIGNOR: GAUTSCH, JAMES W. DOC DATE: 01/26/95

ASSIGNOR: SAGHBINI, MICHAEL G. DOC DATE: 01/26/95

ASSIGNOR: LIPPMAN, DAVID A. DOC DATE: 01/26/95

ASSIGNOR: DANA, RICHARD C. DOC DATE: 01/26/95

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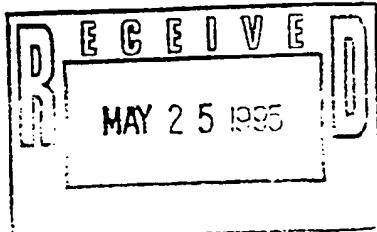
DIGEST: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

BIOLOL, INC.  
1060 JOSHUA WAY  
VISTA, CA 92083

SERIAL NUMBER 8-388504 FILING DATE 02/14/95  
PATENT NUMBER ISSUE DATE 00/00/00

*Mac Donut*  
EXAMINER/PARALEGAL  
ASSIGNMENT BRANCH  
ASSIGNMENT/CERTIFICATION SERVICES DIVISION



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## 1. Name of conveying party(ies):

James W. Gursch  
 Michael G. Saghbini  
 David A. Lippman  
 Richard C. Dana

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other \_\_\_\_\_

Execution Date: January 26, 1995

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

08/388,504

## B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas Fitting

Internal Address: \_\_\_\_\_

Street Address: 12526 High Bluff Drive

Suite 300

City: San Diego State: CA ZIP: 92130

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

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In the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

THOMAS FITTING

Name of Person Signing

Thomas Fitting

Signature

3

March 9, 1995

Date

Total number of pages including cover sheet, attachments, and document: 1

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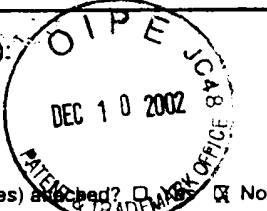
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Michael G. Saghbini  
David A. Lippman  
Richard C. Dana  
Additional name(s) of conveying party(ies) attached?  Yes  No



## 2. Name and address of receiving party(ies):

Name: BIO101, Inc. RECEIVED

Internal Address: DEC 19, 2002

TECH CENTER 1600/2900

## 3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other \_\_\_\_\_

Execution Date: January 26, 1995

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is \_\_\_\_\_

## A. Patent Application No.(s)

08/388,504

## B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas Fitting

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Street Address: 12526 High Bluff Drive

Suite 300

City: San Diego State: CA ZIP: 92130

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

THOMAS FITTING

Name of Person Signing

Thomas Fitting

Thomas Fitting

Signature

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Date

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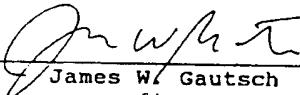
## ASSIGNMENT

Serial No. 08/388,504

Filed February 14, 1995

In Consideration of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, the entire right, title and interest in the invention or improvements of the undersigned in METHOD FOR ISOLATING DNA in the application for Letters Patent of the United States therefor, and in any reissue or extension of any letters Patent that may be granted upon said application are hereby assigned by the undersigned to BIO101, INC., a California Corporation, and the heirs, successors, legal representatives and assigns of BIO101 (herein collectively called said Assignee), and the Commissioner of Patents and Trademarks is hereby authorized and requested by the undersigned to issue said Letters Patent to said Assignee.

For said considerations it is hereby agreed by the undersigned, upon the request of said Assignee, to execute any necessary and proper oaths or affidavits relating to said application or required for the filing or prosecution of any divisional or continuing application thereof or for the filing or prosecution of any application for the reissue or extension of any Letters Patent that may be granted on said invention or improvements that said Assignee may deem necessary or expedient, and for said considerations it is further agreed by the undersigned, upon request of said Assignee, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof, becomes involved in Interference, to cooperate to the best of the ability of the undersigned with said Assignee in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and further to perform, on such request, any and all affirmative acts to obtain said Letters Patent and vest all rights therein hereby conveyed in said Assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this Assignment and sale had not been made. And for said considerations the entire right, title and interest in said invention or improvements, including all priority rights, and the right to claim priority rights and the privileges and benefits thereof, including those under the International Convention, and all other Conventions, and the right to file applications for patent in said Assignee's own name for said invention or improvements in each and every country of the world are hereby assigned and granted by the undersigned to said Assignee. It is further agreed by the undersigned, upon the request of said Assignee, to execute any and all documents that shall be required of the undersigned to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said Assignee. The attorneys of record in said application for patent are hereby authorized and requested by the undersigned to insert in this Assignment the date and serial number thereof in the places provided therefor.



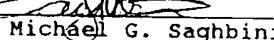
James W. Gautsch

(Seal)



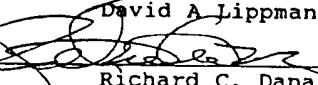
David A. Lippman

(Seal)



Michael G. Saghbini

(Seal)



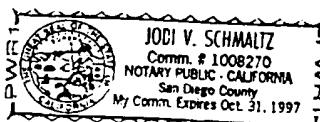
Richard C. Dana

(Seal)

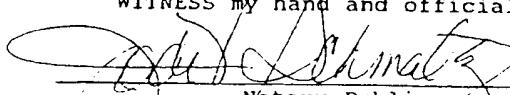
State of California)  
County of San Diego) ss

MAR 13 95

On 1-26-95, before me, Jodi V. Schmalz, a Notary Public personally appeared James W. Gautsch, David A. Lippman,  
Michael G. Saghbini & Richard C. Dana, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.



Notary Public

My Commission Expires:

10/31/97